UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,497	12/29/2000	Waldemar Wojtkiewicz	42390P9012	3272

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EXAMINER
SALAD, ABDULLAHI ELMI

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO 90C (Rev 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 July 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,9-12,15-24 and 27-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6, 9-12,15-24 and 27-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response

1.   The Amendment filed on 7/9/2004 has been received and made of record.

2.   applicant's argument with respect to claims 1-6, 9-12,15-24 and 27-35 have been considered but are not persuasive for the following reasons.

Applicant alleges "Boden does not teach determining, verifying and choosing of the routing protocol version that is the same for the first and second network device". Examiner respectfully disagrees, because Boden discloses router 100 receiving the data-gram 186 and checks the version number identifier field 162 of the data-gram to determine the version of RIP that contain on the packet is the same as RIP-1 used by router 100 (see col. 4, lines 30-35 and col. 6, lines 20-29). Additionally routers 102 and 100 use RIP-1 and router 100 determine the version of RIP that contain on the packet is same as used by router 100. Once it is determined both the first device and the second device use the same version of RIP e.g. RIP-1, then the link 135 is setup) (see figs. 2 and 5 and col. 8, lines 20-65, and col. 9, lines 45-67, where routing table 138 and interface configuration table 140 is used to configure link 133 which links routers 102 and 100).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claim 1-6, 9-12,15-24 and 27-35 rejected under 35 U.S.C. 102(e) as being

anticipated by Boden et al., U.S. Patent No. 6,167,444[hereinafter Boden].

As per claim 1, Boden discloses a method comprising:

- receiving a packet (data-gram packet 186) from a first network device (router

  102) to a second network device (router 100), wherein the first and second

  network devices are connected to form a link (interface 133), the first network

  device and the second network device each having a version (RIP-1) of a

  dynamic, intra-domain, distributed, flat, single path, distance vector routing

  protocol (RIP)(see col. 4, lines 30-37) the packet identifying the first network

  device's routing protocol version (see the data-gram format shown on fig. 3,

  version-identifier 162 which identifies the version of a network-protocol) (see col.

  4, lines 30-37 and col. 6, lines 20-23);

- determining whether the first network device's routing protocol version is the

  same as the second network device's routing protocol version (router 100

  receiving the data-gram 186 and checks the version number identifier field 162 of

  the data-gram to determine the version of RIP that contain on the packet is the

  same as RIP-1 used by router 100) (see col. 4, lines 30-35 and col. 6, lines 20-

  29, where routers 102 and 100 use RIP-1 and router 100 determines the version

  of RIP that contain on the packet is same as used by router 100);

- verifying the first network device's routing protocol version as being the same as

  the second network device's routing protocol version (see col. 6, lines 20-29);

- choosing the same routing protocol version acceptable to the first and second

  network device (see col. 6, lines 20-29, where when host 100 receives packet,

  the version number is checked and only the packets with version number greater

  one are processed to ensure same routing protocol version is used);and

- configuring the link (configuring interface 133 using routing table tables 138 and

  interface configuration table 140 for) such that the routing protocol versions of the

  first and second network devices are the same (that is once it is determined both

  the first device and the second device the same version of RIP e.g. RIP-1, then

  the link 135 is setup) (see figs. 2 and 5 and col. 8, lines 20-65, and col. 9, lines

  45-67, where routing table 138 and interface configuration table 140 is used to

  configure link 133 which links routers 102 and 100).

As per claim 2, Boden discloses the method of claim 1, wherein the version of the

routing protocol of each network device is one of a triggered type or a periodic type

(RIP-1 is one of triggered type update or a periodic/regular type update) (see col. 4,

lines 38-41 and col. 5, lines 5-13 and col. 6, lines 30-32) and the method further

comprises detecting the first network device's (102) routing protocol type (i.e., routing

information protocol or RIP) (since RIP is UDP-based protocol which is generally

received on UDP port 520, RIP is detected as the first network's routing protocol) (see

col. 6, lines 20-21), and determining whether the first network device's routing protocol

type (RIP) is the same as the second network device's routing protocol type (RIP) (see

col. 4, lines 20-37, and col. 6, lines 20-29, where RIP is used as routing protocol of the

first and second network devices).

As per claim 3, Boden discloses the method of claim 2 further comprising configuring

the link such that the routing protocol types (RIP) of the first and second network

devices comprises a default routing protocol version or preferred routing protocol

version (the first and the second network device use the same type routing protocol e.g.

RIP) (see col. 4, lines 30-35 and figs. 2 and 5 and col. 8, lines 20-65, where interface

configuration table 140 and routing table 138 is used to configure links 133 or 135 etc).

As per claim 4, Boden discloses the method of claim 1 wherein the routing protocol ·

comprises Routing Information Protocol (RIP) (see col. 4, lines 30-33).

As per claim 5, Boden discloses the method of claim 4 wherein the version of RIP

comprises one of Version 1 or Version 2 (see col. 9, lines 32-44).

As per claim 6, Boden discloses the method of claim 5 wherein the version of the RIP of

each of the first and second network devices is one of a triggered type or a periodic type

(see col. 6, lines 4, lines 38-41 and col. 5, lines 5-13).

As per claim 9, Boden discloses a method comprising:

- determining whether the first network device's routing protocol version is the
  same as the second network device's routing protocol version (router 100
  receiving the data-gram 186 and checks the version number identifier field 162 of
  the data-gram to determine the version of RIP that contain on the packet is the
  same as RIP-1 used by router 100) (see col. 4, lines 30-35 and col. 6, lines 20-
  29, where routers 102 and 100 use RIP-1 and router 100 determines the version
  of RIP that contain on the packet is same as used by router 100);

- verifying the first network device's routing protocol version as being the same as
  the second network device's routing protocol version (see col. 6, lines 20-29);

- configuring a link (configuring interface 133 as shown on tables 138 and 140)
  including the first network device (102) and the second network device (100),
  each network device including the same routing protocol (see col. 4, lines 38-41,
  col. 5, lines 5-13 and col. 6, lines 30-33).

As per claim 10, Boden discloses the method of claim 9 wherein the routing protocol

comprises Routing Information Protocol (RIP) (see col. 4, lines 30-33).

As per claim 11, Boden discloses the method of claim 10 wherein the version of the RIP

comprises one of Version 1 or Version 2 (see col. 9, lines 32-44).

As per claim 12, Boden discloses the method of claim 11 wherein the version of the RIP

of each of the first network device and second network devices is one of a triggered

type or a periodic type (see col. 6, lines 4, lines 38-41 and col. 5, lines 5-13).

As per claim 15, Boden discloses a machine readable medium having stored therein a

set of instructions which, when executed by a machine, cause the machine to:

- receive a packet(data-gram packet 186) from a first network device (router 102)

  to a second network device (100), wherein the first and second network devices

  are connected to form a link (133), the first network device and the second

  network device each having a version (RIP-1) of a dynamic, intra-domain,

  distributed, flat, single path, distance vector routing protocol (RIP)(see col. 4,

  lines 30-37) the packet identifying the first network device's routing protocol

  version (see the data-gram format shown on fig. 3, version identifier 162 which

  identifies the version of a network protocol) (see col. 4, lines 30-37 and col. 6,

  lines 20-23);

- determine whether the first network device's routing protocol version is the same

  as the second network device's routing protocol version (router 100 receiving the

  data-gram 186 and checks the version number identifier field 162 of the data-

  gram to determine the version of RIP that contain on the packet is the same as

  RIP-1 used by router 100) (see col. 4, lines 30-35 and col. 6, lines 20-29, where

  routers 102 and 100 use RIP-1 and router 100 determines the version of RIP that

  contain on the packet is same as used by router 100);

- verifying the first network device's routing protocol version as being the same as the second network device's routing protocol version (see col. 6, lines 20-29);

- choosing the same routing protocol version acceptable to the first and second network device (see col. 6, lines 20-29, where when host 100 receives packet, the version number is checked and only the packets with version number greater one are processed to ensure same routing protocol version is used);and

- configure the link (see tables 138 and 140 for configuring interface 133) such that the routing protocol version of the first and second network devices (that is once it is determined both the first device and the second device the same version of RIP e.g. RIP-1, then the link 135 is setup) (see figs. 2 and 5 and col. 8, lines 20-65, and col. 9, lines 45-67, where routing table 138 and interface configuration table 140 is used to configure links 133 which links routers 102 and 100).

As per claim 16, Boden discloses the machine-readable medium of claim 15, wherein the version of the routing protocol of each network device is one of a triggered type or a periodic type (RIP-1 is one of triggered type update or a periodic/regular type update) (see col. 4, lines 38-41 and col. 5, lines 5-13 and col. 6, lines 30-32) and the set of instruction which executed by the machine, further cause the machine to detect the first network device's (102) routing protocol type (i.e., routing information protocol or RIP) (since RIP is UDP-based protocol which is generally received on UDP port 520, RIP is detected as the first network's routing protocol by the second router 100) (see col. 6, lines 20-21), and to determine whether the first network device's routing protocol type

(RIP)) is the same as the second network device's routing protocol type (RIP) (see col. 4, lines 20-37, and col. 6, lines 20-29, where RIP is used as routing protocol of the first and second network devices).

As per claim 17, Boden discloses the machine-readable medium of 16, wherein the set of instruction which executed by the machine, further cause the machine to configure the link such that the routing protocol version of the first and second network devices comprises a default routing protocol version or preferred routing protocol version (the first and the second network device use the same type routing protocol e.g. RIP) (see col. 4, lines 30-35 and figs. 2 and 5 and col. 8, lines 20-65, where interface configuration table 140 and routing table 138 is used to configure links 133 or 135 etc).

As per claim 18, Boden discloses the machine-readable medium of claim 15 wherein the routing protocol comprises Routing Information Protocol (RIP) (see col. 4, lines 30-33).

As per claim 19, Boden discloses the machine-readable medium of claim 18 wherein the version of RIP comprises one of Version 1 or Version 2 (see col. 9, lines 32-44).

As per claim 20, Boden discloses the machine-readable medium of claim 18 wherein the version of the RIP of each of the first and second network devices is one of a triggered type or a periodic type (see col. 6, lines 4, lines 38-41 and col. 5, lines 5-13).

As per claim 21, Boden a machine readable medium having stored therein a set of

instructions which, when executed by a machine, cause the machine to:

- determine whether the first network device's routing protocol version is the same

  as the second network device's routing protocol version (router 100 receiving the

  data-gram 186 and checks the version number identifier field 162 of the data-

  gram to determine the version of RIP that contain on the packet is the same as

  RIP-1 used by router 100) (see col. 4, lines 30-35 and col. 6, lines 20-29, where

  routers 102 and 100 use RIP-1 and router 100 determines the version of RIP that

  contain on the packet is same as used by router 100);

- verify the first network device's routing protocol version as being the same as the

  second network device's routing protocol version (see col. 6, lines 20-29);

- configure a link (configuring interface 133 as shown on tables 138 and 140)

  including the first network device (102) and the second network device (100),

  each network device including the same routing protocol (see col. 4, lines 38-41,

  col. 5, lines 5-13 and col. 6, lines 30-33).

As per claim 22, Boden discloses the machine-readable medium of claim 21 wherein

the routing protocol comprises Routing Information Protocol (RIP) (see col. 4, lines 30-

33).

As per claim 23, Boden discloses the machine-readable medium of claim 22 wherein

the version of the RIP is one of Version 1 or Version 2 (see col. 9, lines 32-44).

As per claim 24, Boden discloses the machine-readable medium of claim 23 wherein

the version of the RIP of each network device is one of a triggered type or a periodic

type(see col. 6, lines 4, lines 38-41 and col. 5, lines 5-13).

As per claims 27-36, the claims include limitations similar to those of claim 1-6, thus

claims 27-36 are rejected same rational as claims 1-6.

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

a) Gai et al., U.S. Patent No. 6,697,360. Provides a method and apparatus for auto-configuring layer three intermediate device.

b) Ciotti, Jr. Et al., U.S. Patent No. 6,421,731. Provides dynamic routing update mechanism, which determines the routing protocol type and the version number.

c) Sandick et al., U.S. Patent No. 6,684,241. Provides an apparatus of configuring a network device which parsing a received packet to determine the routing protocol type (RIP) and version number of RIP.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 703-308-8441. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should mailed to:

> Box AF
>
> > Commissioner of Patents and Trademarks
> >
> > Washington, DC 20231
>
> or faxed to: **(703) (872-9306)**.

AS
10/17/2004

SALEH NAJJAR
PRIMARY EXAMINER